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TO RUEHC/SECSTATE WASHDC 9160
INFO RUEHAH/AMEMBASSY ASHGABAT 3695
RUEHTA/AMEMBASSY ASTANA 9905
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RUEHKT/AMEMBASSY KATHMANDU 0259
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RUEHGV/USMISSION GENEVA 0976
RUCNDT/USMISSION USUN NEW YORK 0113
RUEHVEN/USMISSION USOSCE 2294
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RHEFDIA/DIA WASHDC
RUEAIIA/CIA WASHDC
RHEHNSC/NSC WASHINGTON DC
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C O N F I D E N T I A L TASHKENT 000143

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DEPT FOR SCA/CEN AND DRL

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TAGS: [PHUM](#) [MARR](#) [PGOV](#) [PREL](#) [UZ](#)
SUBJECT: GOU: BLUSTER ON HUMAN RIGHTS AND POLITICAL PRISONERS?

REF: A. TASHKENT 131
[1](#)B. TASHKENT 114
[1](#)C. TASHKENT 49
[1](#)D. TASHKENT 90
[1](#)E. TASHKENT 126

Classified By: AMBASSADOR RICHARD NORLAND FOR REASONS
1.4 (B, D)

[1](#)1. (C) Summary: There are signs of progress on some aspects of our human rights agenda with Uzbekistan, especially concerning civil society (ref A), but the issue of political prisoners remains the toughest nut to crack. We and the French have encountered visceral reaction at the Ministry of Foreign Affairs to recent attempts to broach the issue. However, there are indications that individuals on an EU list of prisoners, and others, have been or may be about to be released. As we consider how to overcome GOU resistance on this issue and encourage as broad "coverage" by the GOU amnesty as possible, we need to carefully calibrate our approach, guided first of all by the principle of "do no harm" at this potentially pivotal stage. End summary.

NEMATOV RAISES MUSAEV'S CASE AHEAD OF FALLON VISIT

[1](#)2. (C) First Deputy Minister of Foreign Affairs Ilkhom Nematov requested a meeting on January 22 with the Ambassador ahead of Admiral Fallon's visit to Tashkent on January 24 (ref B). Nematov brought up the issue of political prisoner Erkin Musaev, stating that Musaev had been convicted and Uzbekistan had evidence of his guilt (Comment: The DATT and Pol-Econ Chief had earlier raised the case of Musaev and Natalya Medjidova, a border guard who was also convicted of espionage in 2007, with MFA America's Desk Chief Ismat

Fayzullaev, who presumably passed along the Embassy's concerns to Nematov. End comment.) Nematov told us that if Admiral Fallon brought up the issue during his visit, the Government of Uzbekistan would provide documents proving that Musaev was rightfully convicted. Nematov repeatedly stressed that the Musaev case was an internal matter, and that such "interference" from the United States could harm bilateral relations.

13. (C) The Ambassador pointed out that an enhanced mil-mil relationship was unlikely to be fruitful if U.S. interlocutors were going to be arrested on phony charges. He also told Nematov that a broad application of the GOU's prison amnesty, to include political prisoners, would go far to address U.S. human rights concerns, including those voiced by Congress in recent legislation.

14. (C) Musaev, a former Uzbek Ministry of Defense official and United Nations Development Program (UNDP) local employee, was sentenced to a total of 20 years' imprisonment for espionage and corruption in three separate trials in 2006 and 2007 (ref C). Observers believe that the charges against Musaev in all three cases were fabricated (Comment: In his third trial in September 2007, Musaev was convicted with Medjidova and three other border guards of being involved in an alleged U.S. government espionage plot run by the DAO and aimed at overthrowing the Karimov regime. The GOU claims to have evidence of this plot, but the question remains of why the GOU wants to now reengage with the Department of Defense and the National Security Service's U.S. counterparts if they supposedly ran an espionage plot aimed at overthrowing the current regime. End comment.)

NEMATOV ALSO REACTS NEGATIVELY TO MENTION OF POLITICAL PRISONERS IN LETTER FROM FRENCH PRESIDENT

15. (C) On January 30, French Ambassador Hugues Pernet (strictly protect) shared with the Ambassador a letter from French President Nicholas Sarkozy to President Karimov. The letter, which is dated January 29, references Karimov's December 7 Constitution Day speech in which he extended an apparent olive branch to the EU and the United States. It did not congratulate Karimov on his re-election, but expressed the French government's hope that Karimov would be "generous" in his application of the GOU's prisoner amnesty in his new term. Although the letter was mostly well-received, according to the French Ambassador, Nematov was visibly agitated by the mention of amnesty for prisoners in the letter. The French Ambassador opted not to confront Nematov over the issue, but told a lower-ranking official that the GOU needed to do more if it did not want EU sanctions to be restored.

UZBEKS ATTEMPTING TO COMPARTMENTALIZE HUMAN RIGHTS

16. (C) In their recent comments to Emboffs, Nematov and Fayzullaev have articulated the GOU's desire to compartmentalize discussions of human rights away from discussions of other bilateral interests. Needless to say, the Uzbeks are displaying greater interest in pursuing cooperation on the security front rather than in the political sphere. During the meeting with the Ambassador on January 22, Nematov said that while Admiral Fallon's visit was a good step in strengthening the bilateral relationship, political issues (such as democratization and human rights) should be kept separate from what he believed was a military and security-focused visit. The Ambassador disagreed, stressing that we needed to see progress on all aspects of our relations, especially human rights.

17. (C) During a meeting with the DATT on January 28, MFA America's Desk Chief Ismat Fayzullaev expressed a similar sentiment when the issue of human rights was raised, telling the DATT that they could discuss security-related issues together, but to leave all discussions of human rights to the political section.

¶18. (C) There are signs that some prisoners may in fact be released. The German Ambassador told us that 11 individuals on the EU list of 28 are being released, though this remains to be confirmed (ref D). On January 25, human rights Rapid Reaction Group members Shukhrat Ganiev, Abdusalom Ergashev, and Sukhrob Ismoilov reported hearing a rumor to poloff that imprisoned activist Saidjahon Zaynabitdinov had been recently amnestied and is now at home with his family in Andijon. The Rapid Reaction Group members could not confirm the rumor, but explained that in previous years there have been cases of activists being quietly released and ordered not to inform others for a specific period of time. On January 30, Ismoilov told poloff that he had contacted two colleagues in Andijon, but they were still unable to confirm whether Zaynabitdinov was freed or not. (Comment: Zaynabitdinov is a high-profile political prisoner and we believe his release would have resulted in at least some chatter on independent internet websites. So far, poloff has not heard this rumor from any other sources, but we will continue to try to verify it. End comment.)

¶19. (C) In the past week, poloff has conversed with several other human rights contacts who expressed optimism that additional high-profile political prisoners would soon be amnestied and released, including Ezgulik human rights activist Dilmurod Muhidinov, Pentacostalist pastor Dmitry Shestakov, and Andijon-based human rights activist Mutabar Tojiboyeva (ref E).

COMMENT: HOW BEST TO APPROACH THE UZBEKS ON AMNESTY FOR POLITICAL PRISONERS?

¶10. (C) Clearly the issue of political prisoners is at a very delicate stage. The Uzbeks may be on the verge of releasing some individuals whose cases have gained international attention, but in a way that minimizes publicity and avoids loss of face. Another factor at play here is probably the power of the NSS in presidential deliberations - clearly, MFA officials do not relish having to take cases to the president in what will inevitably involve challenges to NSS arrests. What is interesting is that something seems to be happening in this extremely sensitive area. As we consider next steps, we need to be guided first of all in our approach by the principle of "do no harm."

NORLAND